



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,283	04/04/2001	Daniel Hallihan	PA1601US	6623
22830	7590	01/12/2005	EXAMINER	
CARR & FERRELL LLP 2200 GENG ROAD PALO ALTO, CA 94303			NGUYEN, NGA B	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/827,283	HALLIHAN, DANIEL	
	Examiner	Art Unit	
	Nga B. Nguyen	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 September 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5,7-13,15-21 and 23-49 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-5,7-13,15-21 and 23-49 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is the answer to the communication filed on September 27, 2004, which paper has been placed of record in the file.
2. Claims 1-5, 7-13, 15-21 and 23-49 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1-5, 7-13, 15-21 and 23-49 have been considered but are not persuasive.

In the arguments, applicant stated that Swart does not teach an accounts payable system. Examiner respectfully disagrees. As stated in the applicant's arguments that an account payable is defined in the Webster's College dictionary 2000 Second and Revised and Updated Random House edition as "a liability to a creditor, usually for purchased of goods and services", equivalent in Swart, the banking system maintains the employee's bank account, the employee can specify to withdraw 2% of the employee's pay and the banking system automatically deposit the money into a mutual fund (see column 7, lines 40-45), thus the employee's bank account is an account payable because the employee's bank account can be used to pay for the mutual fund, the banking system is an account payable system because the banking system automatically withdraws the money from the employee's bank account and deposits the money into the mutual fund. Therefore, Swart does teach an accounts payable system which is the banking system.

In conclusion, for the reason set forth above, examiner decides to maintain the rejection using Swart reference and make this office action FINAL.

4. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5, 7-13, 15-21 and 23-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Swart, U.S. Patent No. 6,347,306.

Regarding to claim 1, Swart discloses a machine-readable medium having embodied thereon a software interconnectivity program, the program being executable by an electronic device to perform method steps for interfacing and interconnecting data between one or more independent software applications, comprising the steps of:

receiving the data into a data entry panel of the electronic device (column 3, lines 5-25 and column 9, line 48-column 10, line 10; inputting the time and attendance information and the human resource information using input terminals into the employee data client computer system);

sending the data to an interconnectivity program module (column 3, lines 30-35 and column 9, lines 60-62; column 10, lines 7-9; sending the time and attendance information and the human resource information into the database 160); and

interfacing the data to one or more independent software applications for processing of the data by the applications (column 3, lines 25-30, 38-47; column 9, lines 1-23 and column 10, lines 10-20; the payroll client 130 is provided with an independent payroll software called Payroll JavaBean 132 which retrieves the data from the database 160 in order to calculate net work segment pay for each work segment completed by the employee), wherein one of said independent software applications is an accounts payable program (column 9, lines 35-47; the bank client 170 is provided with an independent software called Bank JavaBean 172).

Regarding to claim 2, Swart discloses verifying the data by comparing to a plurality of predetermined audit criteria before interfacing the data to the software applications (column 6, lines 43-53; verifying whether the earnings codes are used for jury duty, overtime, etc. and whether the absence codes are used for annual leave, sick leave, maternity leave, etc.).

Regarding to claim 3, Swart discloses storing and retrieving the data in a database of the interconnectivity program module (column 9, lines 60-62; column 10, lines 7-9, 13-15).

Regarding to claim 4, Swart discloses converting the data to a file format that is compatible with the software applications after interfacing the data to the software applications (column 6, lines 41-53; converting the data into a universal format understandable by the payroll processing system).

Regarding to claim 5, Swart discloses one of the independent software applications is a payroll-processing program (column 3, lines 25-30; payroll software object).

Regarding to claim 7, Swart discloses one of the independent software applications is a project management program (column 3, lines 7-10; human resource software object).

Regarding to claim 8, Swart discloses one of the independent software applications is a billing program (column 54-65; the third party client computer system is operated to calculate the deductions).

Art Unit: 3628

Regarding to claim 9, Swart discloses a data processing system for interfacing and interconnecting data between one or more independent software applications, comprising:

one or more data entry panels for receiving data into the system (column 3, lines 5-25; input terminal of the employee data client computer for entering time and attendance information and human resource information);

one or more processors coupled to the system (figure 3, the employee data client computer 110, the third party client computer 120, the payroll client computer 130);

one or more independent software applications executable on the processors (column 3, lines 5-37; time and attendance software object, human resource software object executed at the employee data client computer; payroll software object executed at the payroll client computer), wherein one of said independent software applications is an accounts payable program (column 9, lines 35-47; the bank client 170 is provided with an independent software called Bank JavaBean 172).

Claims 10-13, 15,16 contain similar limitations found in claims 2-5, 7, 8 above, therefore are rejected by the same rationale.

Claims 17-21, 23, 24 contain similar limitations found in claims 9-13, 15, 16 above, therefore are rejected by the same rationale.

Regarding to claim 25, Swart discloses a data processing system for interfacing and interconnecting data between one or more independent software applications, comprising:

Art Unit: 3628

one or more data entry panels for entering data into the system by a data entry operator (column 3, lines 5-25 and column 6, lines 11-27; input terminal of the employee data client computer for entering human resource information);

one or more processors coupled to the system (figure 3, the employee data client computer 110, the third party client computer 120, the payroll client computer 130);

one or more independent software applications executable on the processors (column 3, lines 5-37; time and attendance software object, human resource software object executed at the employee data client computer; payroll software object executed at the payroll client computer), wherein one of said independent software applications is an accounts payable program (column 9, lines 35-47; the bank client 170 is provided with an independent software called Bank JavaBean 172).

a plurality of predetermined audit criteria for verifying the data before interfacing the data to the software applications (column 6, lines 43-53; verifying whether the earnings codes are used for jury duty, overtime, etc. and whether the absence codes are used for annual leave, sick leave, maternity leave, etc.);

a means for converting the data to a file format that is compatible with the software applications (column 6, lines 41-53; converting the data into a universal format understandable by the payroll processing system).

Regarding to claim 26, Swart discloses a software product for processing time data and expense data, a software product comprising:

interconnectivity software operational when executed by a processor to direct the processor to receive the time data into a program module, store the time data in a time

and expense database in the program module, receive the expense data into the program module, store the expense data in the time and expenses database (column 9, lines 30-37, 60-65; column 10, lines 5-15; the time and expense data stored in the database 160), transfer the time data from the time and expenses database to a payroll system (column 9, lines 20-24; providing shift completion information, pay amount information and pay deduction information to the payroll application server 150), and transfer the expense data from the time and expenses database to an accounts payable system (column 7, lines 32-37; the banking system 250 receives net work segment pay 252 from the payroll processing system 230); and

a software storage medium operational to store the interconnectivity software (column 13, lines 43-50 65; the payroll software object).

Regarding to claims 27-28, wherein the interconnectivity software is operational when executed by the processor to direct the processor to verify the time and expense data in the program module (column 6, lines 43-53; verifying whether the earnings codes are used for jury duty, overtime, etc. and whether the absence codes are used for annual leave, sick leave, maternity leave, etc.).

Regarding to claim 29, Swart discloses wherein the interconnectivity software is operational when executed by the processor to direct the processor to convert the time data into a format compatible with the payroll system (column 6, lines 41-53; converting the data into a universal format understandable by the payroll processing system).

Claims 30-33 contain similar limitations found in claims 26-29 above, therefore, are rejected by the same rationale.

Regarding to claim 34, Swart discloses generating payment in the payroll system based on the time data (column 10, lines 10-20; calculating the net work segment pay).

Regarding to claim 35, Swart discloses wherein transferring the time data comprises communicating between the program module and the payroll system (column 9, lines 1-5; the employee data client JavaBean 112 provides access to information from the time and attendance and the human resources computer systems).

Regarding to claim 36, Swart discloses wherein transferring the expense data comprises communicating between the program module and the accounts payable system (column 7, lines 32-37; transmitting net work segment pay to the banking system 250).

Regarding to claim 37, Swart discloses generating payment in the accounts payable system based on the expense data (column 7, lines 37-40; the banking system 250 issues a check or directly deposits into the employee's bank account).

Regarding to claim 38, Swart discloses transferring the time data from the payroll system to a projects system; and transferring the expense data from the accounts payable system to the projects system (column 3, lines 7-10; human resource software object).

Regarding to claim 39, Swart discloses processing the time data and the expense data in the projects system to generate a report (column 3, lines 7-10; human resource software object).

Regarding to claim 40, Swart discloses processing the time data and the expense data in a billing system to generate an invoice (column 54-65; the third party client computer system is operated to calculate the deductions).

Claims 41-49 contain similar limitations found in claims 26-29, 34, 37-40 above, therefore, are rejected by the same rationale.

Conclusion

7. Claims 1-5, 7-13, 15-21 and 23-49 are rejected.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-1113.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
C/o Technology Center 3600
Washington, DC 20231

Or faxed to:

(703) 872-9326 (for formal communication intended for entry),

or

(703) 308-3691 (for informal or draft communication, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA, Seventh Floor (Receptionist).

Nga B. Nguyen

Nga Nguyen

December 16, 2004